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November 19, 2004

Ms. Jennifer J. Johnson, Secretary  
Board of Governors of the Federal Reserve System  
20th Street and Constitution Avenue, N.W.  
Washington, D.C. 20551

Docket No. R-1210

Dear Secretary Johnson:

On September 13, 2004 the Board published for comment a proposal to amend Regulation E and solicited comments on the proposal. These comments relate to proposed model clauses (A-6) for authorizing one-time electronic fund transfers using information from a check (§205.3(b)(2)).

Each of the model clauses begins with the phrase "When you provide a check..." We believe that the quoted phrase may lead consumers to conclude, based on their prior experience, that they must provide the originator with a blank, unsigned check. Consumers who authorize recurring ACH debits from their checking accounts are accustomed to being asked by originators to provide a voided blank check. For this reason, we are concerned some consumers may construe the language in all three model clauses as a request for an unsigned, voided blank check.

To avert this possible confusion, we request that the Board consider, instead, the use of a phrase such as, "When you provide a check as payment....," or "When you provide us a signed, completed check....," or "When you give us a signed, completed check...."

The undersigned represents, and submits these comments on behalf of, Dominion Resources, Inc., one of the nation's largest producers of energy. Dominion is implementing an electronic check conversion program, and within the next few months expects to be originating as many as 1,800,000 electronic fund transfers from check conversion each month.

Sincerely,

  
Michael D. Flemming